

91st Illinois General Assembly

Senate Transcript

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

28th Legislative Day

March 26, 1999

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise? Our prayer today will be given by the Reverend Beverly Wilkes, Grace United Methodist Church, Springfield, Illinois. Reverend Wilkes.

REVEREND BEVERLY WILKES:

(Prayer by the Reverend Beverly Wilkes)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journals of Friday, March 19th; Monday, March 22nd; Tuesday, March 23rd; Wednesday, March 24th; and Thursday, March 25th, in the year 1999, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Messages.

SECRETARY HARRY:

Message from the President, dated March 26th, 1999.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 2-10 (e), I hereby extend the deadline for final action on the following category of bills, with specific bills enumerated under this category, to May 21st, 1999:

State Finance, specifically: Senate Bills 580, 640, 1205 and 1206.

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Another letter from the President, dated March 26th, 1999.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 2-10 (e), I hereby extend the deadline for final action on the following category of bills, with specific bills enumerated under this category, to June 1, 2000:

Public Utilities, specifically: Senate Bill 307.

And a final communication from the President, March 26th, 1999.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 2-10 (e), I hereby extend the deadline for final action on the following categories of bills, with specific bills enumerated under these categories, to May 21, 1999:

Economic Development, specifically: Senate Bill 981; and Criminal Justice, specifically: Senate Bill 1122.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 14.

Adopted by the House, March 23rd, 1999.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 2793, 2794, 2823, 2453, 2457, 2467, 2478, 2489, 2507, 2508, 2509, 2511, 2513, 2518, 2519, 2527, 2528, 2532, 2534, (2538), 2541, 2542, 2654, 5, 32 -- or, 5, 52, 53,

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137, 139, 303, 373, 485, 799, 800, 1064, 1065, 1441, 1477, 1532, 1534, 1792, 2273, 2426, 2428, 2431, 63, 452, 721, 822, 881, 931, 1117, 1124, 1522, 1587, 1797, 2112 and 2167, also 2383. (Bill within parentheses submitted in writing, but inadvertently not read into the record.)

All passed the House, March 25th, 1999.

PRESIDENT PHILIP:

All right. In the middle of page 2, Senate Bills 3rd Reading. Senate Bill 20. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 20.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. With the consent of the Body and the cooperation of the Chair, I'd like to return this bill to the Rules Committee.

PRESIDENT PHILIP:

Leave is granted. Senate Bill 46. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 46.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Parker.

SENATOR PARKER:

Thank you, Mr. Chairman -- Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 46 is something that all of our

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constituents would really like to have. Last year, we passed a bill that said that we could double the exemption on our income tax and that would be completed in the tax year of the year 2000. What this bill says is, we would complete that in the year 1999 so that we can speed up what our -- what our taxpayers would like us to do, and that is give them money back. They have rainy days, too, and they would like to have the money back in their rainy day fund. And so I would ask for a favorable vote.

PRESIDENT PHILIP:

Further discussion? Further discussion? Senator Welch.

SENATOR WELCH:

Thank you. I -- I have a question of the sponsor.

PRESIDENT PHILIP:

She indicates she'll yield. Senator Welch.

SENATOR WELCH:

Senator Parker, what's the cost of this bill?

PRESIDENT PHILIP:

Senator Parker.

SENATOR PARKER:

This is not a cost; this is a savings. For -- for this year, it will be a hundred and twelve million dollars. It's a onetime expenditure. It goes back to the people. It is not a cost.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Parker, to close.

SENATOR PARKER:

I would ask for a favorable vote.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 46 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you voted who wish? Have you voted your wish? Take the record. There are 55 Ayes, no Nays. Senate Bill 46, having

received the required constitutional majority, is declared passed.
Senate Bill 71. Senator Sieben. Senate Bill 71. Senator Sieben.
Take it out of the record. Senate Bill 139. Senator O'Malley.
Senate Bill 139. Take it out of the record. Senate Bill 204.
Senator Rauschenberger. Senate Bill -- take it out of the
record. Senate Bill 230. Senator Dillard. Senate Bill -- take it
out of the record. Senate Bill 235. Senator Dudycz. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 235.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Dudycz.

SENATOR DUDYCZ:

Yes, thank you, Mr. President. Senate Bill 235 is the --
creates the Fire Department Promotion Act. It's a shell bill at
the moment. The -- both sides are in negotiation. Both the fire
chiefs and the fire union have asked that I pass this on to the
House. They're very close to a settlement and they want a vehicle
to be able to...

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, the question
is, shall Senate Bill 235 pass. All those in favor will vote Aye.
Those opposed, Nay. The voting is open. Have you voted who wish?
Have you all voted who wish? Take the record. 55 Yeas, no Nays.
Senate Bill 235, having received the required constitutional
majority, is declared passed. Senate Bill 239. Senator
Burzynski. Take it out of the record. Senate Bill 277. Senator

Cronin. Senate Bill 277. Senator Cronin. Take it out of the record. Senate Bill 307. Senator Mahar. Senate -- take it out of the record. Senate Bill 358. Senator O'Malley. Senate Bill --

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take it out of the record. Senate Bill 402. Senator O'Malley. Take it out of the record. Senate Bill 411. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 411.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 411 is a public utilities vehicle bill, and I would like to move it over to the House. Would seek your support.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, the question is, shall Senate Bill 411 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who

wish? Have you all voted who wish? Take the record. 52 Yeas, 1
Nay, 6 not voting. Senate Bill 411, having received the required
constitutional majority, is declared passed. Senate Bill 418.
Senator Madigan. Take it out of the record. Senate Bill 419.
Senator -- take it out of the record. 420. Take it out of the
record. Senate Bill 473. Take it out of the record. Senate Bill
580. Senator Rauschenberger. Take it out of the record. Senate
Bill 640. Senator Weaver. Take it out of the record. Senate
Bill 689. Senator Trotter. Senate Bill 689. Senator Trotter.
Take it out of the record. Senate Bill 705. Senator Trotter.
Take it out of the record. Senate Bill 711. Senator Trotter.
Take it out of the record. Senate Bill 713. Senator Trotter.
Take it out of the record. The top of page 4. Senate Bill 723.
Senator -- take it out of the record. Senate Bill 812. Senator
Cronin. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 812.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill creates the Public Construction Contract Act. The bill would allow contractors to be compensated for increased costs they may incur from unexpected physical conditions at the work site of a government construction project. There was a couple of issues that came up in committee and we responded to those issues and amended the bill that provides that the mandatory arbitration language is now permissive and voluntary. The amendment and the bill was voted out unanimously. Ask for your favorable consideration.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, the question is, shall Senate Bill 812 pass. All those in favor will signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 54 Yeses, no Nays, 5 not voting. Senate Bill 812, having received the required constitutional majority, is declared passed. Senate Bill 825. Senator Madigan. Take it out of the record. Senate Bill -- take it out of the record. Senate Bill 855. Senator Maitland. Senate Bill 855. Senator Maitland. Take it out of the record. Senate Bill 916. Senator Myers. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 916.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Thank you, Mr. President. This bill deals with something that is becoming common. The President of Eastern Illinois University chose to have her own housing rather than to use the house which is used for all kinds of public events, in that way. With apologies to the Body, this is not in the form that we want it to be and I would ask that you consider this a vehicle bill.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Myers -- if I might, Mr. President, ask -- pose the Member a question?

PRESIDENT PHILIP:

She indicates she will yield.

SENATOR DEMUZIO:

This is...

PRESIDENT PHILIP:

Senator Demuzio.

SENATOR DEMUZIO:

This is a vehicle bill. Is it -- was it not amended finally to say that the proceeds from the sale of the house would be that portion which would be used to -- to pay or offset the housing allowance of the new President? Is that in this bill now?

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Yes, it is.

PRESIDENT PHILIP:

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Further discussion? Further discussion? If not, the -- I'm sorry. Senator Demuzio.

SENATOR DEMUZIO:

I know you're anxious. I am, too. Senator Myers, what -- what can we contemplate as being the newest change -- the newest wrinkle to this proposal? It seems to me that -- that -- seems to me that, well, you know, that -- that's some sort of finality. I mean, I can't imagine where we're -- where we're going next with this, if this is a vehicle bill. Could you answer that please?

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

I'd be happy to answer it. The original request from Eastern Illinois University was to be allowed to use the proceeds of the sale of this house. The house's value is -- it's in a residential area; it's not on campus. Their intent is to sell the house in the usual way that you would sell the house, through a Realtor, and use -- and they don't have a place for receptions for the kinds of events that they need other than the University President's home in this residential area. And unfortunately, the wording as is in this bill at this point does not solve Eastern's problem, and I would request that we would be able to address that and only that in this bill.

PRESIDENT PHILIP:

Senator Demuzio.

SENATOR DEMUZIO:

I don't know how we're going to resolve the problem. The sale of the house is only going to be about two hundred thousand or thereabouts max. The -- the offset with respect to the housing allowance is twenty-four thousand a year. I'm willing to work with you on this, but I don't see how we're going to resolve this. Thank you.

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PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

All -- all that Eastern wants to be allowed to do, Senator Demuzio, is to take the proceeds from the House and create a -- a spot in the union building, an existing building, and use that for the receptions that used to be held in the house. Nothing more than that.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, the question is, shall Senate Bill 916 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 54 -- 55 Yeses, no Nays, 4 not voting. Senate Bill 916, having received the required constitutional majority, is declared passed. Senate Bill 929. Senator Obama. Senate Bill 929. Take it out of the record. Senate Bill 936. Senator Dillard. Take it out of the record. Senate Bill 981. Senator Jones. Take it out of the record. Senate Bill 990. Senator Lauzen. Senate Bill 990. Take it out of the record. Senate Bill 1006. Senator Karpiel. Take it out of the record. Senate Bill 1016. Take it out of the record. Senate Bill 1039. Take it out of the record. Senate Bill 1059. Senator Shadid. Take it out of the record. Senate Bill 1061. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1061.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President. This bill does -- is a

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shell that is trying to deal with correctional medical service continuity between employers and the contractors. So it's a shell; it doesn't do anything at this point. We're just trying to keep it alive. The Department and AFSCME are both negotiating. Ask your support.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, the question is, shall Senate Bill 1061 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 54 Yeas, no Nays, 5 not voting. Senate Bill 1061, having received the required constitutional majority, is declared passed. Senate Bill 1081. Senator Maitland. Take it out of the record. Senate Bill 1122. Senator Jones. Take it out of the record. Senate Bill

1163. Whoop. Take it out of the record. Senate Bill 1182.
Senator Lauzen. Take it out of the record. Senate Bill 1205.
Senator Weaver. Take it out of the record. Senate Bill 1206.
Senator Weaver. Take it out of the record. Senator Weaver, for
what purpose do you rise?

SENATOR WEAVER:

Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR WEAVER:

On Monday, one of our esteem colleagues is going to have a
birthday. We won't be here, but I think -- we would all like to
give Senator Geo-Karis a greeting for her birthday on Monday. She
also has provided us with a beautiful cake down in front, so we'll
all partake of that. Geo.

PRESIDENT PHILIP:

Geo, please keep it short.

SENATOR GEO-KARIS:

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I usually do. Mr. President and Ladies and Gentlemen of the
Senate, I came in the office today and I -- my secretary, Peg

Booker, surprised me with a cake and she made it herself, and I want to thank her personally. And I want to thank all of you for your good wishes. Yes, Monday I'm going to be eighty-one, which is -- which is eight plus one, so I'm only nine years of age. And thanks so much for being my friends and my colleagues. Thank you, Mr. Weaver.

PRESIDENT PHILIP:

God bless you, Geo. Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. First of all, happy birthday, Senator Geo-Karis. And secondly, Senator Geo-Karis, you did rise on a number of my bills and ask if there was any elimination of the General Assembly scholarships in those bills. In all cases, the answer was no. The one bill that you -- that you did not arise on and ask the question was on the pig bill last night, and that's where the elimination was.

PRESIDENT PHILIP:

May -- may I have your attention, please. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all -- all of those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any of the resolutions on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDENT PHILIP:

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted? All those in

favor will signify by saying Aye. Those opposed, Nay. The motion carries and the resolutions are adopted. Resolutions.

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SECRETARY HARRY:

Senate Joint Resolution 31, offered by Senator Donahue {sic} (Weaver).

(Secretary reads SJR No. 31)

PRESIDENT PHILIP:

Senator Weaver moves to suspend the rules for the purpose of the immediate consideration of the adoption of Senate Joint Resolution 31. Those in favor will signify by saying Aye. The opposed, Nay. The Ayes have it. The rules are suspended. Senator Weaver has moved for the adoption of Senate Joint Resolution 31. Those in favor will signify by saying Aye. Those opposed, Nay. The Ayes have it. The resolution is adopted. Senator Watson, for what purpose do you rise?

SENATOR WATSON:

Yes. Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR WATSON:

Just want to remind the Members that April 21st is the softball game. And I know, over the next couple of weeks while you're at home, why, most of you'll be working out and getting yourself in shape. Kirk Dillard says he's going to lose ten pounds. I've looked around and I've seen some other guys that need to lose a little weight: Bobby Molaro, Tom Walsh - I'm just concerned about you guys - Frank Watson. Anyway, it's the 21st and I want to make sure everybody's aware of it, and we'll probably have a practice or two probably before the game, and the House is keyed up for this. You know, they're tried of getting beat. We've beat 'em every year since 1992, or tied 'em one year. So they're -- so Kevin McCarthy and some of those guys over there, and the new people come in, they're a lot younger. So we're going to need some help, and we got some young people ourselves that we

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can probably use. So anyway, over the next couple weeks, be sure you're out there running around the block a little bit, get yourself in shape. We don't want any hamstrings or anything pulled, and we'll look forward to seeing you on the 21st.

PRESIDENT PHILIP:

If there's no further business to come -- whoop. Senator

Dudycz, for what purpose do you rise?

SENATOR DUDYCZ:

A point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR DUDYCZ:

While we're on the subject of April 21st, just a reminder to the Membership that April 21st also is Secretary Day, don't forget your secretaries on that day.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills of following titles, in the passage of which I am instructed to ask concurrence of the Senate, to wit:

House Bills 233, 650, 1089, 1219, 1281, 1569, 1744, 1781, 1856, 2012, 2023 and 2303.

All passed the House, March 25, 1999.

PRESIDENT PHILIP:

House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 452, offered by Senator Mahar.

(Secretary reads title of bill)

House Bill 112, offered by Senator Klemm.

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(Secretary reads title of bill)

House Bill 138, offered by Senator Klemm.

(Secretary reads title of bill)

House Bill 143, offered by Senator Lisa Madigan.

(Secretary reads title of bill)

House Bill 238, offered by Senator Maitland.

(Secretary reads title of bill)

House Bill 239, offered by Senator Maitland.

(Secretary reads title of bill)

House Bill 321, offered by Senator Radogno.

(Secretary reads title of bill)

House Bill 427, offered by Senator Fawell.

(Secretary reads title of bill)

House Bill -- 479, offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 485, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

House Bill 492, offered by Senator Robert Madigan.

(Secretary reads title of bill)

House Bill 512 {sic} (517), offered by Senator Maitland.

(Secretary reads title of bill)

House Bill 620, offered by Senator Burzynski.

(Secretary reads title of bill)

House Bill 799, offered by Senator Burzynski.

(Secretary reads title of bill)

House Bill 800, offered by Senator Burzynski.

(Secretary reads title of bill)

House Bill 901, offered by Senator Thomas Walsh.

(Secretary reads title of bill)

House Bill -- pardon me, 1113, offered by Senators Robert
Madigan and DeLeo.

(Secretary reads title of bill)

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House Bill 1137, offered by Senator Wendell Jones.

(Secretary reads title of bill)

House Bill 1181, offered by Senator Berman.

(Secretary reads title of bill)

House Bill 1436, offered by Senator Welch.

(Secretary reads title of bill)

House Bill 1511, offered by Senator Klemm.

(Secretary reads title of bill)

House Bill 1723, offered by Senator Klemm.

(Secretary reads title of bill)

House Bill 1759, offered by Senator Radogno.

(Secretary reads title of bill)
House Bill 1764, offered by Senator Fawell.
(Secretary reads title of bill)
House Bill 1767, offered by Senator Fawell.
(Secretary reads title of bill)
House Bill 1774, offered by Senator Karpel.
(Secretary reads title of bill)
House Bill 1792, offered by Senator Lauzen.
(Secretary reads title of bill)
House Bill 1869, offered by Senator Shadid.
(Secretary reads title of bill)
House Bill 1870, offered by Senator Shadid.
(Secretary reads title of bill)
House Bill 1879, offered by Senator Robert Madigan.
(Secretary reads title of bill)
House Bill 2113, offered by Senator Thomas Walsh.
(Secretary reads title of bill)
House Bill 2188, offered by Senator Karpel.
(Secretary reads title of bill)
House Bill 2610, offered by Senator Maitland.
(Secretary reads title of bill)

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House Bill 2654, offered by Senator Philip.

(Secretary reads title of bill)

House Bill 2676, offered by Senators Hawkinson and Shadid.

(Secretary reads title of bill)

House Bill 2708, offered by Senator Geo-Karis.

(Secretary reads title of bill)

And House Bill 2823, offered by Senator Dillard.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

Is there any other further business to come before the Senate?
If not, I wish everybody a safe trip home and a great Easter.
Pursuant to the adjournment resolution, Senator Weaver moves the
Senate stands adjourned until the hour of noon, on Wednesday,
April 14th.

